

Scott Poiencot

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

KANE MARCEAUX, GREG CORMIER,
SCOTT POIENCOT, NORBERT MYERS,
GABE THOMPSON, NOVEY STELLY,
ULETOM P. HEWITT, REGINA BRISCOE
AND ALEETA M. HARDING

CIVIL ACTION NO: 6:12-cv-01532

VERSUS

JUDGE RICHARD T. HAIK, SR.

LAFAYETTE CITY-PARISH CONSOLIDATED
GOVERNMENT; LAFAYETTE POLICE
DEPARTMENT THROUGH THE LAFAYETTE
CITY-PARISH CONSOLIDATED
GOVERNMENT; LESTER JOSEPH "JOEY"
DUREL, JR. IN HIS CAPACITY AS PRESIDENT
OF THE LAFAYETTE CITY-PARISH
CONSOLIDATED GOVERNMENT; DEE
EDWARD STANLEY, INDIVIDUALLY AND IN
HIS CAPACITY AS CHIEF ADMINISTRATIVE
OFFICER OF THE LAFAYETTE CITY-PARISH
CONSOLIDATED GOVERNMENT; JAMES P.
"JIM" CRAFT, INDIVIDUALLY AND IN HIS
CAPACITY AS CHIEF OF THE LAFAYETTE
POLICE DEPARTMENT; AND GEORGE
"JACKIE" ALFRED, INDIVIDUALLY AND IN
HIS CAPACITY AS PATROL DIVISION
COMMANDER OF THE LAFAYETTE
POLICE DEPARTMENT

MAGISTRATE JUDGE PATRICK J. HANNA

"631 GREENBRIAR 05-15-12"

Dwayne: Yes, sir?

Scott: How you doing sir?

Dwayne: Good.

Scott: Scott Poiencot, Lafayette Police Department.

Dwayne: Dwayne Balfour.

Scott: Yes sir you're the person I came to speak to.

Dwayne: You Wanna come in?

Scott: Sure.

(24 seconds)



Scott Poiencot

Dwayne: Last name is what?

Scott: Poiencot.

Dwayne: Poiencot.

Scott: Yes, sir.

Dwayne: I unlock the lock I have a cop with me.

Scott: Hahaha. You might want to do it.

Dwayne: My wife Sissy the boss she gotta leave you got to talk to her.

Sissy: That's ok...

Scott: How you doing?

Sissy: Pretty good, what's this about?

Scott: Uh, lawn care.

Dwayne: Yeah.

Sissy: Oh yea, ok, yea.

Scott: If you wannna I'm sure I can conduct whatever business I need to with your husband so.

Sissy: Yea, I mean I wrote the letter and we signed it and all that stuff.

Dwayne: Would you like some water?

Scott: No, sir, I'm fine. Thank you.

Dwayne: Um...

Sissy: Do you need me?

Scott: No, ma'am.

Sissy: Ok I'm late to help a friend do something...

Scott: I don't want to be the cause of you being late anywhere.

Sissy: Ok. So, if you do uh yeah call me up.

(1 minute 9 seconds)

Scott Poiencot

Scott: Absolutely.

Sissy: Ok. Thanks.

Dwayne: Um, (muffled) sent you?

Scott: Yes, sir.

Dwayne: Yea. My next door neighbor growing up. Um, well the complaint is, you saw...

Scott: I read the letter.

Dwayne: Ok.

Scott: Uh I just come out to see if there was any kind of particular time or day that we could narrow down to where we could I could come out and look and see if there is any kind of violations I can assess with him while he's here.

Dwayne: Uh-hum.

Scott: As for as your lawn care of the lawn care service guy in the neighborhood.

Dwayne: Mhmm. Oh so ya'll haven't talked to him yet then?

Scott: No, I haven't made contact with him yet uh because I wanted to come out here and see what his actions are, see what he's doing, uh see how he conducts his business and see if there is anything that I can do as far as criminally charge him with anything, any kind of violations. If not, I guess the next appropriate step for me to do is to caution him about his behavior in the neighborhood.

Dwayne: Yea, well that's honestly what I think would be my opinion the first step. See what he'll do is single out people of course they're our clients.

Scott: Yea.

Dwayne: Ok. He has harassed me. Now uh I had quadruple bypass a year and a half ago so but about a month before that, I had had it. So you know I confronted him. He would holler out you know call me pork chop and just you know.

Scott: Yeah.

Dwayne: No one else and it's not another lawn person that comes in this neighborhood. And he's so stupid, but you know, my opinion is you can't let somebody take over your neighborhood.

Scott: Yea.

Dwayne: You know uh, and it was continual. He would pass in front of the house if he felt like it and you know stop right here and sit on the horn and you know. Uh Chief Craft

(2 minutes 44 seconds)

Scott Poiencot

said Dwayne, I can have him arrested just for that. You know what I mean, whether that's true or not. Uh, that's not true. Uh, saying inappropriate things to my wife, like get on the side and say, "You know Mother's Day is coming up, baby, why don't you let me cut my grass" or...

Scott: Yeah.

Dwayne: Just say inappropriate things. Tracey guards over here, and you know everybody's just kind of tired of it, because when he's in the neighborhood you don't wanna go walk on the street...

Scott: Yeah.

Dwayne: Because he's going to say something stupid. Um she said she can't walk her dog without him completely stopping his lawnmower...

Scott: Ok.

Dwayne: and you know wanting to have this conversation with her you know and he knows her and her husband just divorced. She said she feels very very uncomfortable because he'll just say inappropriate stuff.

Scott: Ok.

Dwayne: Ok Doris, and it's funny how these women start talking about it. And I say well I've already had a problem so now I have other people that have a problem and I really have three other people that said if needed you know we would make a statement...

Scott: Yeah.

Dwayne: If we needed to. Ok but of course, everybody doesn't want their names to be mentioned for some unknown reason. Me, I could care less.

Scott: Yeah.

Dwayne: You know uh Doris Oray, her husband is a retired Orthodontist, evidently he didn't know about this, because Frank's 76, but I promise you, he would go confront anybody, you know.

Scott: Yeah.

Dwayne: Uh He just gets on the side of her and starts telling about his three girlfriends he has. I got three girlfriends I'm having an affair with. Now why would you even do this. And my wife doesn't know about this. Now here's a lady walking her dog, and she says it happens all the time.

Scott: How old is this character?

Dwayne: You know, I really don't know. I know the day I confronted him, and I really, I just wanted to fight him. That's all there is to it.

(4 minutes 28 seconds)

Scott Poiencot

Scott: Yeah.

Dwayne: I'm 57 years old, but I mean I just would, you know.

Scott: Yeah.

Dwayne: I don't know, 40 maybe I don't know.

Scott: Ok, when does he normally come to the neighborhood?

Dwayne: Well you know, normally, he's a uh a Thursday or a Friday guy...

Scott: Ok.

Dwayne: Normally.

Scott: Mornings or afternoons?

Dwayne: Uh, it's usually afternoons.

Scott: Ok. What's the name of his lawn care service?

Dwayne: Oh, he doesn't have one. There's no name on it.

Scott: He just shows up, and apparently, through...

Dwayne: He cuts quite a few yards...

Scott: ...through word of mouth?

Dwayne: Dr. Jimmie Lafleur used to use him and he quit he said cause he's too stupid and he said you know everybody around here uses him because he's so cheap.

Scott: Yeah.

Dwayne: But you know uh, and I've always wanted to ask Joey Durel this, uh, it's so funny that, you know, I'm self-employed and I have to pay for an occupational license and I know you probably don't have time to hear that and we got to pay for all this stuff...

Scott: Yeah.

Dwayne: We got to be licensed. We oughtta to have a sign, if you're a lawn guy, on your vehicle. You know, he always blows the grass in the road, which you are not supposed to do that. That's against the law.

Scott: Correct, that is a citable offense.

Dwayne: And uh you know people across the street complain Dr. Fisher complained. I said, well ya'll just need to make a phone call. But then I finally did, and they said that the only way you can get him is if the person sees you.

(5 minutes 40 seconds)

Scott Poiencot

Scott: And that's where we're at at this point. I've been tasked out to come out here and see what I can do to address the situation. Um your name is on the letter, that's why I'm here to speak with you and see and now that you've told me Thursday and Friday afternoons is when he usually shows up. So what I'm going to do at this point is I'm going to be here Thursday and Friday afternoon. I'm going to make my make it my duty to be here, see what he's doing, see if there is any kind of like I said any kind of laws if I can cite him for some a for a few violations, I'm sure that's going to start getting the uh getting his mindset a look. I understand you got business here. Number one I need to see your business licenses. Uh I'm going to address the citations that I can issue with you right now. Stop what you're doing otherwise you're going to find yourself booked in the Lafayette Parish Correction Center the next time I come out.

Dwayne: Well are you just going to go up to him and tell him about the complaints?

Scott: Do you want me to?

Dwayne: Oh absolutely.

Scott: Alright, yeah, absolutely.

Dwayne: And the thing about it...

Scott: I'll tell you what, if you...

Dwayne: ...the way to approach this, this is my opinion, the way to approach it is that we've had four complaints, four complaints. The women in this neighborhood are tired, I'm sure. Cause he's gonna know me. The women are going to be tired are or tired of you saying inappropriate things and this is not going to be tolerated.

Scott: That is my email address.

Dwayne: Ok.

Scott: If you want to email me all of the people that you want me to caution him against having contact with.

Dwayne: Uh-huh.

Scott: I will make it a point to ensure that he knows this person at this address, this person at this address, and so on so forth, and wants absolutely no contact with you.

Dwayne: Uh-huh.

Scott: If for any reason you decide to contact them again.

Dwayne: Uh-huh.

Scott: After this date, I will come out and arrest you.
(7 minutes 30 seconds)

Scott Poiencot

Dwayne: Uh-huh. Oh that'll do the trick right there.

Scott: You know that will work for you, you just make sure you give me all the names and dates that way we don't leave anybody off the block that's being harassed by him. That you want this done with and we will take care of it that way as well.

Dwayne: Ok.

Scott: And we'll make sure it happens.

Dwayne: Well there's four of them that will put their names and address.

Scott: Ok.

Dwayne: Now the other three they'll only do it is if they have to. They're tired of him being in the neighborhood.

Scott: Well at this point, at this point all you're doing is giving me a reference to say that, now that I've told you not to contact this person...

Dwayne: Uh-huh.

Scott: Now it becomes unlawful for you to contact them after this time and date.

Dwayne: Uh-huh.

Scott: So the only time I would actually need them to do any kind of paperwork is if the harassment continued after the fact.

Dwayne: Oh ok.

Scott: And if and at the rate it's going, I know a lot of people like to remain anonymous, but in order for us to do our jobs, we are going to need the help because I'm not the victim. I'm not being harassed here. Um and like I said, maybe we can get two or three of them here and I can contact uh this guy and say look this is what's going to happen, nonnegotiable, otherwise you're going to jail. Hopefully that'll remedy your problem.

Dwayne: Uh-huh.

Scott: But if one of the others that we made contact with, decide that he has called him today. I didn't like it. Please do something about it. I will come out, collect a statement from you. The next time he shows up, I will arrest him.

Dwayne: Ok.

Scott: Sounds like a winner?
(8 minutes 51 seconds)

Scott Poiencot

Dwayne: That is a winner man. And you see that's why I sent the stuff to uh Chief Craft. Is I sent the names, the addresses, and the cell phone numbers of the people because they all said you know it's a go.

Scott: That is my number right there, 291-7292.

Dwayne: Cell phone?

Scott: Uh that's my office phone. I don't carry a cell phone with me uh.

Dwayne: Good for you.

Scott: It's just a nuisance. Hahaha uh.

Dwayne: Is Craft been out of town?

Scott: I saw him this morning.

Dwayne: Yeah.

Scott: I saw him this morning in the hallways when I was trying to hustle out the door. Um, if you see him, call me. Let me know he's here in the neighborhood.

Dwayne: So you at your office more than you're on the road?

Scott: No, but all my phone calls gets forwarded to my laptop.

Dwayne: Oh, ok.

Scott: So, I'll be able to check my uh phone calls periodically through the day to ensure that if you call me, shoot me an email. I'll get it immediately. Uh, and I that way I'll know that, hey I need to get over here today or whenever he shows up. Uh because I handle all the calls as well as coming out and dealing with issues such as this. So, contact me. I'll get out here and take care of it for you.

Dwayne: Man, I appreciate that.

Scott: Sounds like a winner?

Dwayne: Yea. It definitely uh is time for it to come to an end because it has been going on for years you know.

Scott: Really?

Dwayne: Oh yeah, years.

Scott: Same guy's been in the neighborhood for years causing havoc.

Dwayne: Yes yeah and if he's doing your stuff like the lady across the street cause she moved, Judice Judice Electric. Man he would harass her and she's a mean girl, (inaudible)

(10 minutes 17 seconds)

Scott Poiencot

and she never made a phone call. You know some people just don't know. Like Ms. Doris.

Scott: Yeah.

Dwayne: You know Doris is I guess 65 years old. When we discuss this, she says well what can be done? I said what can be done? I said this guy is from Arnaudville, he's retarded. Why would you allow I said you don't watch TV. When people finally are tired of someone coming in trying to this is the same thing as somebody taking over your neighborhood.

Scott: Yeah.

Dwayne: You gotta watch for his truck or you're not going to go outside and walk your dog?

Scott: Yeah well just send me that number and my email address to all your neighborhood, uh your neighbors and what not. That way they'll have the same exposure to me as you do, because this is what I do. I come out and address the civic complaints from everybody, regardless if it's this complaint or any other complaint, have them contact me. I will be sure to come back out her and address anything that needs to be taken a look at.

Dwayne: So what is your title as an officer? Cause Jimmie used some kind of word.

Scott: A resource officer.

Dwayne: A resource officer. One of my resource officers.

Scott: Fantastic isn't it.

Dwayne: I think you must not like Jimmie too much.

Scott: No, I just don't like being a resource officer.

Dwayne: I don't blame you man.

Scott: I like being a police officer.

Dwayne: Well yeah, that's what you are, huh...

Scott: Uh but...

Dwayne: That's how I addressed you at the door.

Scott: Aside from being resource or patrolman, I am here to give you the uh work you need done. Um and that's what I do.

Dwayne: And uh how long you've been an officer for?
(11 minutes 28 seconds)

Scott Poiencot

Scott: I've been doing it for fifteen years now.

Dwayne: Come on.

Scott: Yeah.

Dwayne: How old are you?

Scott: I'm 38.

Dwayne: Man I'd a figured you were probably 28. I mean you really look young.

Scott: Well thank you. Hahaha. That's not going to get you any faster service. Hahaha. No, I'm just messing with you.

Dwayne: Oh, no, no, no I'm just very very serious very serious. I'm just like, man this guy can't be very old. Which you're not.

Scott: Um so uh like I said, just pass that information around to your neighbors and uh you'll probably see me out here tomorrow uh see if I can wrangle him up. Well tomorrow's Wednesday; Thursday and Friday.

Dwayne: But if he does come tomorrow cause see my wife doesn't work. She's here...

Scott: Yeah.

Dwayne: All day. Doris doesn't work. She's here all day.

Scott: Well if they see him, tell them to call me immediately. I'll come out. We'll drop what I'm doing to come out here and uh take care of the business and see if we can get it taken care of for you.

Dwayne: Yea, because, yea. I'm telling you, one conversation, and I really believe, especially if he knows that if you do it again, I'm going to be arrested.

Scott: Absolutely.

Dwayne: Alright Officer.

Scott: Well let me know if I can do anything else for your. I'll see you Thursday.

Dwayne: Alrighty man.

End of recording.